

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

067074-0312419

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/511001**

INTERNATIONAL APPLICATION NO.

PCT/GB03/01613

INTERNATIONAL FILING DATE

15 April 2003 (15.04.03)

PRIORITY DATE CLAIMED

15 April 2002 (15.04.02)

TITLE OF INVENTION  
See Addendum

APPLICANT(S) FOR DO/EO/US JENKINS, JOHN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. <b>10/511001</b> INTERNATIONAL APPLICATION NO. <b>PCT/GB03/01613</b>		ATTORNEY'S DOCKET NUMBER <b>067074-0312419</b>																										
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1080.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$920.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$770.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$730.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>CALCULATIONS PTO USE ONLY</b>																										
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 950.00																										
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>19 - 20 =</td> <td>0</td> <td>x \$18.00</td> <td>\$ 0.00</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$86.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$290.00</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ 1,080.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	RATE	Total claims	19 - 20 =	0	x \$18.00	\$ 0.00	Independent claims	1 - 3 =	0	x \$86.00	\$ 0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$290.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,080.00	\$ 130.00	
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Total claims	19 - 20 =	0	x \$18.00	\$ 0.00																								
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<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,080.00																								
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$ 540.00																										
<b>SUBTOTAL =</b>		\$ 540.00																										
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ 0.00																										
<b>TOTAL NATIONAL FEE =</b>		\$ 540.00																										
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$ 0.00																										
<b>TOTAL FEES ENCLOSED =</b>		\$ 540.00																										
<div style="border: 1px solid black; padding: 5px;">             Amount to be refunded: \$           </div>		<div style="border: 1px solid black; padding: 5px;">             charged: \$           </div>																										
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>540.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.          A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any          overpayment to Deposit Account No. <u>161805</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card          information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>																												
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)          or (b)) must be filed and granted to restore the application to pending status.</p>																												
SEND ALL CORRESPONDENCE TO: <b>Seth D. Levy</b> <b>PILLSBURY WINTHROP LLP</b> <b>725 South Figueroa Street</b> <b>Suite 2800</b> <b>Los Angeles, CA 90017-5406</b>		<div style="border-bottom: 1px solid black; margin-bottom: 5px;"> </div> SIGNATURE <div style="border-bottom: 1px solid black; margin-bottom: 5px;"> <b>Seth D. Levy</b> </div> NAME <div style="border-bottom: 1px solid black; margin-bottom: 5px;"> <b>44869</b> </div> REGISTRATION NUMBER																										

PATENT  
0312419

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application  
John JENKINS

Group No.: Unassigned

Serial No.: Unassigned  
Filed: October 12, 2004

Examiner: Unassigned

For: **COMBINATION OF AN AGENT THAT ATTENUATES  
TOPOISOMERASE 1 ACTIVITY AND AN AGENT THAT  
INHIBITS HEAT SHOCK PROTEIN 90 FOR USE IN  
CHEMOTHERAPY**

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EL 330956552 US

Date of Deposit: October 12, 2004

Mail Stop PCT/DO/EO/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that

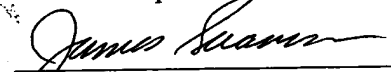
- ☒ Letter of transmittal
- ☒ Preliminary Amendment
- ☒ Patent application (45 pages of specification; 31 claims; 1 pages of abstract)
- ☒ A check in the amount of \$540.00 to cover the filing fee
- ☒ 13 sheets of formal drawings
- ☒ Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 CFR 1.10 on the date indicated above and are addressed to:

Mail Stop PCT/DO/EO/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 12, 2004

Date of Deposit

  
James Swanson

DT05 Rec'd PCT/PTO 12 OCT 2004

**Addendum**

**Title of Invention**

**COMBINATION OF AN AGENT THAT ATTENUATES TOPOISOMERASE 1  
ACTIVITY AND AN AGENT THAT INHIBITS HEAT SHOCK PROTEIN 90 FOR  
USE IN CHEMOTHERAPY**